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General Assembly

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Sixty-third session
First Committee
Agenda item 89 (k)
General and complete disarmament: implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

Letter dated 21 October 2008 from the Permanent Representative of Thailand to the United Nations addressed to the President of the General Assembly

With reference to a letter from the Permanent Representative of Cambodia dated 17 October 2008 (A/63/495), I have the honour to inform you as follows:

1. Thailand attaches great importance to the principle of humanitarianism, which has long been at the core of Thailand's foreign policy. For this reason, Thailand became a State party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction of 1997 (Ottawa Mine Ban Convention). Thailand is fully committed to the obligations under the Convention and has been playing an active role from the beginning, for example, by hosting the Fifth Meeting of State Parties to the Ottawa Mine Ban Convention in 2003. As of today, Thailand has successfully destroyed the country's stockpile of anti-personnel mines in accordance with the provisions of the Convention. Great emphasis has been placed on demining operations in the area along the border between Thailand and Cambodia in which landmines are heavily buried. Thailand has also been active in the areas of victim assistance and sharing of experiences with various partners in many regions.

2. No party should question Thailand's commitment to eradicate this inhumane weapon. Nor should any party question the urgent need and importance of demining operations and saving human lives. It is within this context that Thailand found the letter from the Permanent Representative of Cambodia referred to above most regrettable.

3. All demining operations conducted by Thailand, in partnership with non-governmental organizations (NGOs), are within the territory of Thailand. The urgency of demining in the area adjacent to the Temple of Phra Viharn came after two Thai rangers, who were on routine patrol inside Thailand's territory on

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6 October 2008, stepped on landmines and lost their legs. Thailand was alarmed by the incident because Thai rangers have been using this patrol route for a long time without any incident since this route was known to have been cleared of landmines. Thai villagers have also long been using this route. Thailand was also further alarmed to learn that a team consisting of Thai Mine Action Center (TMAC) and NGOs, which inspected the area after the incident, found a number of newly planted anti-personnel mines in a nearby area. These landmines' physical appearance was almost in perfect condition. No rust was found on the metal parts of these mines and their detonators were still intact. The ground under which the landmines were buried appeared to be recently excavated. Also according to demining experts' inspection, the blast force of the two mines that maimed the two Thai rangers on 6 October 2008 was more powerful than the usual force of old mines left over from three decades of war along the Thailand-Cambodia border.

4. It is important to point out that these landmines were PMN2-type — a type known to be in the possession of Cambodian authorities. According to Cambodia's 2005 transparency report to the Secretary-General of the United Nations under Article 7 of the Ottawa Mine Ban Convention, Cambodia reported that in 2002, out of a total of 3,405 PMN2-type landmines, only 240 of them were transferred from the Ministry of Interior of Cambodia to Cambodian Mine Action Center (CMAC) for development and training.

5. Thailand regards the above development with grave concern as it constituted a serious violation of Article 1 of the Ottawa Mine Ban Convention by a State which is also a State party to the Convention. Thailand found the development even more regrettable that, in this day and age, anti-personnel landmines, which should be assigned to history, were still used.

6. Despite this type of incident, Thailand has chosen the path of dialogue, transparency and goodwill in solving the problem with Cambodia. On 17 October 2008, Thailand officially requested clarification from Cambodia concerning the aforementioned development. Thailand is still waiting for a response from Cambodia.

7. In this connection, Thailand finds it most regrettable that Cambodia, instead of returning the goodwill and choosing the path of dialogue, has chosen to divert attention away from the issue concerned by misleading the international community without the courtesy of responding to Thailand's request for clarification. This kind of action naturally raises question about Cambodia's sincerity and intention.

8. Thailand stands ready, as we have always been, to consult and cooperate with Cambodia to resolve any differences peacefully through existing bilateral consultations. Thailand and Cambodia are, after all, neighbours for life and family members of ASEAN.

I have the honour to request that the present letter be circulated as a document of the General Assembly under agenda item 89 (k).

(*Signed*) Don **Pramudwinai**
Ambassador
Permanent Representative
of the Kingdom of Thailand to the United Nations

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General Assembly

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Agenda item 91
Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session

Letter dated 24 October 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Chairperson of the First Committee

I have the honour to write you to express our concern at a publication sponsored by the United Nations Institute for Disarmament Research (UNIDIR), entitled "*Implementing Resolution 1540: the Role of Regional Organizations*", which was publicly presented to Member States last Wednesday, 22 October, at a parallel event to the work of the First Committee, held in Conference Room 4 at United Nations Headquarters.

Delegations to the First Committee have traditionally benefited from a number of different side events. In the opinion of Cuba, the vast majority of these events have been useful and have contributed in one way or another to broadening the knowledge and information of Member States about various topical and important issues in the field of disarmament and international security.

It is therefore a matter of regret that a publication which, in our opinion, does not meet the minimum requirements of rigour and professionalism was launched at the seminar held on 22 October at the United Nations.

Cuba deplores the fact that a United Nations institution that enjoys a reputation for prestige and seriousness, such as UNIDIR, has sponsored the publication and promotion of the above-mentioned book.

We are particularly concerned at the content of the chapter of the book that refers to resolution 1540 (2004) in Latin America and the role of the Organization of American States. In addition to inexcusable errors and outdated information, this chapter contains unacceptable and completely baseless statements about the status of implementation of resolution 1540 (2004) by certain States in our region.

We are aware that, as stated in the publication, the works included reflect only the views of their authors and not necessarily the views or opinions of the United Nations or UNIDIR. It is nevertheless true that an event was held to launch the

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publication under the auspices of UNIDIR, a United Nations institution, and with the participation of Member States. And that is why we have no choice but to publicly register our concern.

It is not the purpose of this letter to enter into an academic debate and to review in detail the above-mentioned chapter of the book. It suffices to say that, while we agree with a part of its content, we have serious doubts about the depth and objectivity of the chapter as a whole.

We shall confine ourselves to giving only concrete examples of statements in the narrative of the chapter that directly concern Cuba and which are unacceptable or simply erroneous, such as:

- On page 15, the author states that various countries in the region, among which Cuba is mentioned by name, "are countries where mechanisms to avoid access to nuclear facilities and materials and chemical and biological agents by non-state actors involved in violent tactics are definitely needed". The publication limits itself to making this statement without proffering arguments or any evidence whatsoever, even though the statement completely ignores the numerous measures adopted by Cuba and acknowledged by the Security Council to fully comply with each and every one of the provisions of resolution 1540 (2004).

  We believe that issues related to compliance by States with a resolution such as resolution 1540 (2004), which was adopted under Chapter VII of the Charter of the United Nations and in respect of which failure by States to comply could even result in the adoption of punitive measures by the Security Council, should not be approached lightly, particularly in a publication sponsored by a United Nations institution.

- Table 1 (page 20) contains a list of countries in the region that have reported to the Security Council pursuant to resolution 1540 (2004). Such reporting, as is well known, is part of the obligations provided for in the resolution. Cuba is not included in the list, despite the fact that it submitted its report within the time frame provided for in the resolution, namely 28 October 2004, and that the report describes in a detailed and comprehensive manner the legislative and other types of measures adopted by Cuba in compliance with the resolution. Cuba also submitted a number of follow-up reports to the Security Council Committee established pursuant to resolution 1540 (2004) during the period 2005-2008. These reports are publicly available on the website of the 1540 (2004) Committee, which makes it difficult to understand why this information was not included in the publication.

- Table 2 (page 22) gives the percentage of fulfilment of key obligations for implementing resolution 1540 (2004) by member countries of the Organization of American States. Cuba is included in this table, despite the well known fact that it is not a member of this organization. What is more, the table assigns a completely arbitrary percentage of fulfilment to Cuba, for which it took figures from another source as a reference, without any justification.

- On page 26, it states that 17 Governments of the region submitted information in 2006 to the United Nations Register of Conventional Arms. However, it uses as the source for this information a General Assembly document (A/61/133) that has nothing to do with the Register and which concerns

instead a different instrument, namely the standardized instrument for reporting military expenditures. Contrary to what is stated in the publication, 20 States, including Cuba, responded to the survey for the Register in 2006.

- Annex A, on page 33, entitled "Regional membership of organizations and groups", contains a table that excludes Cuba, which is obviously a country in the region, and refers only to members of OAS.

- Annex B, on page 35, entitled "Regional adherence to non-proliferation instruments and organizations", inexplicably fails to include Cuba, despite the fact that our country is obviously a part of the region and a State party, moreover, to several of the instruments mentioned in the annex.

- On page 37 of note 1, at the end of the chapter, the author states incorrectly that Cuba signed the Treaty of Tlatelolco in March 1995, but has still not ratified it, when in fact Cuba ratified the Treaty six years ago, on 23 October 2002. It is difficult to understand how such outdated information can be contained in a work published in 2008.

I should be grateful if through you our concerns in this matter could be conveyed to UNIDIR. We sincerely hope that there will be no future occurrences of situations such as these, which in no way contribute to the efforts being made by all the countries of Latin America and the Caribbean to ensure the full implementation of resolution 1540 (2004).

I should also be grateful if you would kindly arrange for this letter to be circulated as a document of the General Assembly, under agenda item 91.

(*Signed*) Rodrigo **Malmierca Diaz**
Ambassador
Permanent Representative

United Nations A/C.1/63/8

General Assembly

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Agenda item 91
Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session

Letter dated 24 October 2008 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Chairperson of the First Committee

I have the honour to bring to your attention the concern of this Permanent Mission about the English-language publication *Implementing Resolution 1540: The Role of Regional Organizations*, edited by Lawrence Scheinman and published under the auspices of the United Nations Institute for Disarmament Research (UNIDIR). This publication was introduced at the side event organized by UNIDIR in connection with the work of the First Committee, held at the United Nations in Conference Room 4 on 22 October 2008.

In this regard I should like to express our disagreement with a number of irresponsible and unfounded claims made in chapter 2, entitled "Resolution 1540 in Latin America and the role of the Organization of American States".

On page 15 it is stated that several countries of the region, including the Bolivarian Republic of Venezuela, "are countries where mechanisms to avoid access to nuclear facilities and materials and chemical and biological agents by non-state actors involved in violent tactics are definitely needed". In our view, this totally baseless and false information does not take into account the measures which the Venezuelan Government has adopted to implement the provisions of Security Council resolution 1540 (2004).

Moreover, on page 18 there is an irresponsible reference to alleged terrorist networks in the Bolivarian Republic of Venezuela, specifically on Margarita Island. It is asserted that "Other areas of concern in the region are ... Margarita Island in Venezuela ...". We are deeply concerned that statements of this kind have been made in the complete absence of any responsible, reliable information sources, meaning that they are in the realm of speculation.

Furthermore, on page 22, table 2 ("Total percentage of fulfilment of key obligations") assigns an arbitrary percentage to our country's fulfilment of

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resolution 1540 (2004). The percentage is based on figures taken from another source, with no explanation of the methodology used to calculate it.

This Mission considers that the false statements contained in the above-mentioned chapter call into question the commitment of the Government of the Bolivarian Republic of Venezuela to implement resolution 1540 (2004), which we regard as an important instrument for international efforts to combat terrorism.

We recognize the achievements and the important work of UNIDIR in disarmament and non-proliferation education. Nonetheless, it is disturbing that a biased opinion with no scientific basis has been included in a publication of that prestigious Institute, whose reputation could even be affected by this circumstance.

I should be grateful if you would use your good offices to transmit these comments to UNIDIR.

We hope that situations of this kind do not recur in the future. To that end, we ask for your valuable collaboration in continuing to strengthen dialogue and cooperation among States with a view to promoting the objective of disarmament.

The Bolivarian Republic of Venezuela welcomes the holding of side events in the context of the First Committee's work, as they afford opportunities to broaden the Member States' knowledge and information on various topics of considerable interest. In this regard, we regret that the gathering at which this publication was unveiled was not in keeping with the nature of these events.

This Permanent Mission would be grateful if you would have this letter circulated as a document of the General Assembly under agenda item 91.

(*Signed*) Jorge **Valero**
Ambassador
Permanent Representative of the Bolivarian Republic of Venezuela

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General Assembly

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Sixty-third session
First Committee
Agenda item 91
Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session

Letter dated 24 October 2008 from the Permanent Representative of Ecuador to the United Nations addressed to the Chairperson of the First Committee

I have the honour to write you to express our concern at a publication sponsored by the United Nations Institute for Disarmament Research (UNIDIR), entitled "*Implementing Resolution 1540: the Role of Regional Organizations*", which was publicly presented to Member States last Wednesday, 22 October, at a parallel event to the work of the First Committee, held in Conference Room 4 at United Nations Headquarters.

Delegations to the First Committee have traditionally benefited from a number of different side events. In the opinion of Ecuador, the vast majority of these events have been useful and have contributed in one way or another to broadening the knowledge and information of Member States about various topical and important issues in the field of disarmament and international security.

It is therefore a matter of regret that a publication which, in our opinion, does not meet the minimum requirements of rigour and professionalism was launched at the seminar held on 22 October at the United Nations.

Ecuador deplores the fact that a United Nations institution that enjoys a reputation for prestige and seriousness, such as UNIDIR, has sponsored the publication and promotion of the above-mentioned book.

Specifically, our concerns, the same ones which were pointed out verbally by my delegation at the meeting on 22 October, are caused by the content of the chapter of the book that refers to resolution 1540 (2004) in Latin America and the role of the Organization of American States. In addition to inexcusable errors and outdated information, this chapter contains unacceptable and completely baseless statements about the status of implementation of resolution 1540 (2004) by certain States in our region.

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We are aware that, as stated in the publication, the works included reflect only the views of their authors and not necessarily the views or opinions of the United Nations or UNIDIR. It is nevertheless true that an event was held to launch the publication under the auspices of UNIDIR, a United Nations institution, and with the participation of Member States. And that is why we have no choice but to publicly register our concern.

It is not the purpose of this letter to enter into an academic debate and to review in detail the above-mentioned chapter of the book. It suffices to say that, while we agree with a part of its content, we have serious doubts about the depth and objectivity of the chapter as a whole.

We shall confine ourselves to giving only the concrete example that directly concerns Ecuador:

> On page 21, the author states that "The countries of Latin America face serious problems regarding the ability of the State apparatus to implement measures in this area, particularly States that lack a modern and efficient bureaucracy, resources and where the rule of law is fragile such as Bolivia, Ecuador, Paraguay and several countries in Central America".
>
> We believe that issues related to compliance by States with a resolution such as resolution 1540 (2004), which was adopted under Chapter VII of the Charter of the United Nations and in respect of which failure by States to comply could even result in the adoption of punitive measures by the Security Council, should not be approached lightly, particularly in a publication sponsored by a United Nations institution.

I should be grateful if through you our concerns in this matter could be conveyed to UNIDIR. We sincerely hope that there will be no future occurrences of situations such as these, which in no way contribute to the efforts being made by all the countries of Latin America and the Caribbean to ensure the full implementation of resolution 1540 (2004).

I should also be grateful if you would kindly arrange for this letter to be circulated as a document of the First Committee, under agenda item 91.

(*Signed*) María Fernanda **Espinosa**
Ambassador
Permanent Representative of Ecuador